

Planning Committee: 14th December 2023

Observations received following the publication of the agenda.

Item 04 – Woodside Conference Centre, Glasshouse Lane, Kenilworth

Questions from Councillor Dickson

Cllr Dickson has raised two queries on the application: -

1. Can a condition be added to ensure the delivery of the Open Space and Play Equipment be secured earlier in the development compared to the 80% occupation trigger at the Pavilions site on Warwick Road?

Officer Response: It is reasonable to secure an earlier delivery of the open space, but we must be mindful of delivering it at a time where access to the land is safe. A trigger point of between 40% and 50% would be reasonable and this would be secured through the Section 106 Agreement. It is also noteworthy that future occupants would also have access to the open space areas on the land around the application site currently being delivered for the approved development on that land.

2. Can restrictions be put in place regarding delivery vehicles entering and exiting the site during peak school access hours as there are high levels of pedestrian and cycle traffic on Glasshouse Lane?

Officer Response: The current requirement is for all construction traffic to service the site from the Crew Lane access. This can be carried across to the proposed application site. This is due to cease once the main access into the wider site is delivered from Glasshouse Lane. Currently, there is no restriction on the wider site which is being delivered by the same developer. Officers would look to work with WCC Highways and the developer to agree a revised limit on delivery hours that seeks to either minimise or restrict the period around the peak school hours.

Clarification Sought by Councillor Williams

This proposal does form part of the wider development site identified under allocation H40 in the Local Plan. Whilst included within that allocation, it was not specifically anticipated to accommodate new build residential dwellings as at the time of the plan, it was still in operational use. In that sense there is not a current planning permission – outline or otherwise – specifically permitting such development in this location.

The application that has been submitted is a full application and therefore in the particular circumstances here, the principle of the proposed development (along with the details of the proposal) is a material consideration for members to consider this evening.

Item 08 – W/23/1689 – Land on the North-East Side of Birmingham Road, Hatton

Update to Recommendation

Authority be delegated to the Head of Place, Arts & Economy and the chair of the Planning Committee to review any objections which come in after the committee meeting and before the expiry of the consultation, and if any are received, to decide whether these raise new significant material planning matters which, in their view, should be brought back to Planning Committee for further consideration. Subject to them agreeing that there is no need for the application to be considered further by Planning Committee, to delegate authority to Officers to grant the Section 73 application to W/19/0933, subject to the relevant conditions.

Update to Recommended Condition Wording

The proposed condition wording has been revised to read: -

"The temporary access hereby permitted shall be constructed in accordance with the details as shown on plan reference 950-S184 Ref G. The use of this access shall be limited to purposes for construction/sales and for a maximum of 40 residential occupations only. The use of the access shall cease at either the substantial completion of the primary access or within 18 months from the date of this decision, whichever is the sooner. Thereafter, the land shall be restored to its former condition within 6 months from the cessation of use of the temporary access. Any new planting shall be carried out within the first planting season following the cessation of the use of the access. REASON: The access is only proposed for a temporary period and is not proposed to be a permanent vehicular access to serve the site."

Additional Consultation Responses

Hatton Parish Council: Objection on the following grounds

1. Right turns on and off the site will be prevented by bollards along the centre of the A4177, the intention being that traffic will continue to Stanks roundabout and so approach from the other direction. Some may well do so. Others however will make a U turn either through the Shell Filling Station or at the closed entrance to the old KEVII Hospital site. This will interfere with the flow through the one-way system adding to the already substantial delays particularly at peak times. It would also create a significant risk of collisions.
2. There would be uncontrolled integration of construction traffic, residents' vehicles and other vehicle movements resulting from occupation of the site, together with pedestrian activity with children, prams, pets etc. This will also pose a risk of accident and injury.
3. If further traffic light controls are used at the entrance to H28 this would add to the delays already being experienced

If Variation of Condition 14 is allowed, Condition 17 requires clarification to ensure that the works access is closed to all traffic as soon as the primary access is in use.

Public Response: An additional 13 objection comments received: -

The topics raised within the additional comments made are already reflected within the Committee Report. No additional reasons for objection are contained within the submitted comments.

WCC Landscape: Queried whether additional vegetation is being removed and how the land will be reinstated.

Officer Response: No additional vegetation s required to be removed to facilitate the revised access point other than a stretch of newly provided grass. The condition requires the land to be reinstated to its former condition within the first planting season after the first use of the primary access.

Item 06 – W/23/1094 - Burrow Hill House, Hob Lane, Burton Green, Kenilworth

Correction: Please see additional comments from the public summarised below:

Objection comments – 3

Concerns include:

- Impact on the openness of the Green Belt,
- Site is located outside of the Growth Village boundary, and
- Impact on light.

Support comments: 7

Comments include:

- Proposal would not result in harm to amenity,
- Proposal meets a specific need,
- Proposal is of “high quality architecture”, and
- Improves biodiversity of the site.

Neutral comments: 2

Comments include:

- Possible impact on views from adjacent dwellings.
- Possible impact on privacy of adjacent dwellings.

Additional case from agent summarised below:

The Committee Report does not fairly represent the application proposal and the case for approval. The reasons for this are set out below:

- The description of development as set out on our application form is for *'the erection of a local needs dwelling'*.
- The *'Site and Location'* section omits specific details regarding the land having hardstanding and being previous nursery land.
- Our application sets out the specific and detailed case for an 'identified need', this being for Josh Watkinson who has lived in the village all his life and has special needs.
- All future occupants will be required to meet the definition of local need. This can be controlled by legal agreement and does not require the involvement of a housing association.
- Given that the Parish Council and all three ward councillors accept that our son meets the definition of 'local need', a village-wide Housing Needs Survey - as sought by the officers - would serve no purpose and would be an unnecessary exercise.